

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT A. STROMSTED, :
: Plaintiff, : Case No.: 1:11-cv-02023-AKH
: vs. : ECF CASE
: HNTB CORPORATION, :
: Defendant. :
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**DEFENDANT HNTB CORPORATION'S MOTION FOR ADJOURNMENT AND
MEMORANDUM IN SUPPORT**

Defendant HNTB Corporation by and through its counsel, Michael J. Abrams, hereby respectfully requests the Court for an adjournment of the hearing currently scheduled for May 6, 2011 for the following reasons.

1. The original date of the case management conference pursuant to the Court's May 3, 2011 Order is May 6 at 10:00 a.m.
2. Defendant has made no previous request for adjournment or extension on this conference or for any other matter in this action.
3. This request is made because Michael Abrams, lead counsel for defendant, due to a previously scheduled personal family commitment, is not able to travel on May 6, 2011.
4. Michael Abrams can participate in the case management conference on the May 6 original scheduled date if he may appear telephonically. In the alternative, Mr. Abrams is available for conference on May 11, May 16 or 17.

5. Michael Abrams conferred with plaintiff's counsel, Steven Berger and Tom Hone. Plaintiff's counsel do not object to Mr. Abrams appearing telephonically on May 6. Plaintiff's counsel abstain on the request to hold the conference on May 11, 16 or 17 and defer to the judgment of the Court.

6. The parties' counsel are conferring in an attempt to create an agreed proposed order regarding expedited discovery so as to complete discovery within four weeks as set forth in the Court's Order dated May 3, 2011.

7. It is noted that this request is being made less than 48 hours prior to the scheduled appearance. Defendant requests that the Court take notice of the fact that the parties received notice of the hearing late yesterday afternoon.

WHEREFORE, for the foregoing reasons, defendant respectfully requests an adjournment of the May 6, 2011 hearing or to allow Mr. Abrams to participate in such hearing telephonically.

Respectfully submitted,

LATHROP & GAGE LLP

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that, on this 4th day of May, 2011, the foregoing was electronically filed via the ECF Court filing system with notification to the below named counsel:

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/michael j abrams/
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